

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

STEVE ELLIS KARACSON,

Petitioner,

v.

Case No. 21-12100

DAVID SHAVER,

Respondent,

**OPINION AND ORDER DISMISSING PETITION FOR WRIT OF HABEAS CORPUS
AS DUPLICATIVE**

Before the court is a *pro se* petition for writ of habeas corpus brought by Steve Ellis Karacson, (“Petitioner”), pursuant to 28 U.S.C. § 2254, in which he challenges his conviction for insurance fraud and arson of an insured dwelling. (ECF No. 1.) Petitioner previously filed a petition for writ of habeas corpus before Judge Matthew F. Leitman of this district, which challenged the same conviction. The petition was held in abeyance while Petitioner exhausted additional claims in the state courts. *See Karacson v. Shaver*, No. 4:20-CV-13100 (E.D. Mich. May 27, 2021)(ECF No. 8). Petitioner has recently moved for Judge Leitman to reopen that case, claiming that he has now exhausted his state court remedies. (*Id.*, ECF No. 9).

Petitioner subsequently filed the instant petition, in which he again seeks habeas relief from the conviction that he challenged in the active petition before Judge Leitman. The court finds, however, that the petition is subject to dismissal because it appears

duplicative of Petitioner's pending habeas action in Case No. 20-13100.¹ “A suit is duplicative, and subject to dismissal, if the claims, parties, and available relief do not significantly differ between the two actions.” *Cook v. Hemingway*, No. 2:21-CV-11934, 2021 WL 4053182, at *1 (E.D. Mich. Aug. 29, 2021) (Edmunds, J.) (citation omitted). “Petitioner's current habeas petition is subject to dismissal as being duplicative of his still pending first habeas petition, because both cases seek the same relief.” *Id.* See also *Davis v. U.S. Parole Com’n*, 870 F.2d 657 (Table), No. 1989 WL 25837, *1 (6th Cir. Mar. 7, 1989) (district court can properly dismiss a habeas petition as being duplicative of a pending habeas petition, where the district court finds that the petition is essentially the same as the earlier petition); *Nye v. Booker*, No. 07-CV-12890, 2007 WL 2318750, *1 (E.D. Mich. Aug. 9, 2007) (Hood, J.) (same). Accordingly,

IT IS ORDERED that the petition for writ of habeas corpus is SUMMARILY DISMISSED.

s/Robert H. Cleland /
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: November 23, 2021

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, November 23, 2021, by electronic and/or ordinary mail.

s/Lisa Wagner /
Case Manager and Deputy Clerk
(810) 292-6522

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¹ If Petitioner has new claims, he should pursue them as part of the amendment he currently seeks in Case No. 20-13100.